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12 Attorney for Defendant  
13 GEICO GENERAL INSURANCE COMPANY

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 MILlicent Wanjohi,

17 CASE NO.: 2:17-CV-\*

18 Plaintiff,

19 vs.

20 GEICO GENERAL INSURANCE  
21 COMPANY; DOE INDIVIDUALS I-X,  
22 inclusive; and ROE CORPORATIONS I-X,  
23 inclusive,

24 Defendants.

25 **NOTICE OF REMOVAL**

26 COMES NOW, Defendant, GEICO GENERAL INSURANCE COMPANY (“GEICO”),  
27 and hereby files this Notice of Removal of the above-described action to the United States  
District Court for the District of Nevada, from the Eighth Judicial District Court of the State of  
Nevada, where the action is now pending, as provided 28 U.S.C. § 1441, and states:

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1. GEICO is the Defendant in the above entitled action.
2. The above-entitled action was commenced in the Eighth Judicial District Court of  
the State of Nevada and is now pending in that court. Process was served on Defendant on

1 November 3, 2017. A copy of the plaintiff's complaint setting forth the claim for relief upon  
 2 which the action is based was first received by the Defendant on or about November 4, 2017.

3       3.     The United States District Court for the Eighth Judicial District of Nevada has  
 4 jurisdiction by reason of diversity of citizenship of the parties. Plaintiff, MILLICENT  
 5 WANJOHI, has represented that she is a resident of Nevada. GEICO is now, and at the time  
 6 the state action was commenced incorporated in, and with its principal place of business in,  
 7 Maryland. No change of citizenship of parties has occurred since the commencement of the  
 8 action. No named Defendant is a citizen of the state where the action was brought.

9       4.     The action is a civil action for breach of contract and unjust enrichment, related to  
 10 an alleged insurance policy with a \$100,000.00 limit. Plaintiff has previously made a demand  
 11 for \$100,000.00 and seeks in this action for general and special damages, in an amount in excess  
 12 of \$15,000.00. The potential for punitive damages alone exceeds the monetary jurisdictional  
 13 amount of \$75,000.00. See, Woodward v. Newcourt Commercial Financial Corporation, 60 F.  
 14 Supp. 2d 530, 532 (D.S.C. 1999).

15       5.     A copy of all process, pleadings, and orders served upon Defendant is filed with  
 16 this notice as Exhibit "A" pursuant to 28 U.S.C. § 1446(a).

17       6.     Defendant will give written notice of the filing of this notice as required by 28  
 18 U.S.C. § 1446(d).

19       7.     A copy of this notice will be filed with the clerk of the Eighth Judicial District  
 20 Court as required by 28 U.S.C. § 1446(d).

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WHEREFORE, Defendant GEICO hereby requests that this action proceed in this Court as an action properly removed to it.

Dated this 20<sup>th</sup> of November, 2017.

## PYATT SILVESTRI

Walter

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Attorneys for Defendant

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing **NOTICE OF REMOVAL** was deposited in the United States Mails at Las Vegas, Nevada, postage fully prepaid, this 20 day of November, 2017, a true and correct copy addressed to the following:

Bryan H. Blackwell, Esq.  
RICHARD HARRIS LAW FIRM  
801 South Fourth Street  
Las Vegas, NV 89101  
[Bryan.Blackwell@RichardHarrisLaw.com](mailto:Bryan.Blackwell@RichardHarrisLaw.com)  
*Attorney for Plaintiff*

Janet Wabemana  
An employee of PYATT SILVESTR